



Request for City Council Committee Action from the Department of Intergovernmental Relations

Date: June 8, 2012

To: Council Vice President Robert Lilligren Chair Elizabeth Glidden
Referral to: CoW/IGR subcommittee

Subject: FY 2013 Federal Agenda

Department Information

Prepared by: IGR Staff

Approved by: _____

Presenters in Committee: Gene Ranieri, IGR Director

Recommendation: Amend the federal agenda by adding the following policy statement regarding corporate contributions and expenditures for election and public policy decisions to the agenda's policy initiative section; and adopting the attached resolution. The proposed policy statement follows:

Transparency in Elections

The 2010 decision of the United States Supreme Court in *Citizens United v. Federal Elections Commission* has restricted the ability of government at all levels – local, state, and federal – to regulate campaign financing. The *Citizens United* Court struck down limitations on corporate funding of political advertising and ruled that corporations have the same free speech protections as natural persons. *Citizens United* also overturned several provisions of the 2002 Campaign Reform Act.

To reduce the impact of *Citizens United* on campaign financing or, ultimately, to negate it through constitutional amendment, U.S. Senators and Representatives have introduced several bills and joint resolutions. To this end, Rep. Keith Ellison has introduced a Joint Resolution to amend the constitution to address the impacts of *Citizens United*.

In addition to constitutional amendments, legislation to improve the disclosure of campaign-related spending by corporations and outside groups, The "Disclose 2012 Act," has been introduced in the House and Senate. The House version (HR 4010), introduced by Rep Chris Van Hollen (D-MD), has 160 co-sponsors including Reps Ellison, Walz and McCollum. The Senate version (S.2219), introduced by Sen. Sheldon White House (D-RI), has 44 co-sponsors including Senators Franken and Klobuchar.

Senator Al Franken has been involved in many efforts to reduce the impact of *Citizens United* and was appointed in 2012 to a Senate task force to bring back transparency in elections. Efforts have included encouraging the Federal Elections Commission and the

Federal Communications Commission to engage in rulemaking to implement disclosure and disclaimer requirements and asking the IRS to investigate whether organizations with tax-exempt status are engaging in a “substantial” amount of campaign activity.

To support transparency in elections, the City of Minneapolis Recommends:

- Amending the United States Constitution to ensure Congress and the States have the power to regulate political campaign contributions by for profit entities.
- Enactment of legislation, such as the Disclose 2012 Act, that requires increased disclosure and reporting of contributions and expenditures by private entities including nonprofit organizations and federal lobbyists.
- Congressional oversight of federal agencies to ensure that there is access to campaign expenditure information and rules and regulations are consistent with the intent of federal legislation.